

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 15, 16, 18-23, 25, 27-29 and 31-42 are rejected under 35 U.S.C. 102(b) as being anticipated by Richter (US Pat No 2,989,249).

Re claims 15 & 42, Richter shows a sanitary outflow armature (Fig. 2) comprising; a liquid guide (10) that opens into a fitting outlet; an insertion cartridge (22) arranged in the fitting outlet, wherein an inner diameter of the liquid guide (10) is adapted to the insertion cartridge (22) at least in an opening area of the fitting outlet; and a hollow, cylindrical sleeve-shaped intermediate holder (12) that holds the insertion cartridge in a single fixed position and includes an annular groove (14) holding an annular seal (38) that provides a seal in the radial direction between the intermediate holder (12) and an inner periphery of the fitting outlet.

Re claim 16, Richter shows the insertion cartridge (22) is situated with a longitudinal extension (15) thereof completely in the fitting outlet so that only an outflow end surface is directly visible.

Re claim 18, Richter shows that the intermediate holder (12) that can be placed into the fitting outlet from the opening side is held removably or non-removably in the fitting outlet.

Re claim 19, Richter shows the insertion cartridge or intermediate holder (12) can be inserted into the fitting outlet up to an insertion stop (Fig. 2).

Re claims 20 & 22, Richter shows the intermediate holder (12) is held in the fitting outlet by at least one of a glued, clamped, locking, and screw connection (15), and/or by at least one of pressing, clutching, and wedging.

Re claim 21, Richter shows that the intermediate holder (12) is sealed peripherally (38) against an inner peripheral wall of the fitting outlet.

Re claim 23, Richter shows that the insertion cartridge (22) is sealed (38) against the intermediate holder (12), which is in turn sealed (38) against an inner peripheral wall of the fitting outlet.

Re claim 25, Richter shows that the intermediate holder (12) has an outer thread (15) that can be screwed into an inner thread (Fig. 2) in the fitting outlet, and the outer thread and the inner thread are dimensioned and situated such that when the intermediate holder is screwed into the fitting outlet, the threads initially engage one another in a relative position of the Sanitary outflow armature (Fig. 2) on the one hand and the intermediate holder (12) on the other hand in which the annular seal (38) provided on an outer periphery of the intermediate holder does not yet make frictional contact with the Sanitary outflow armature (Fig. 2).

Re claim 27, Richter shows that the cartridge housing of the intermediate holder (12) has a contoured outlet periphery (16) and/or a contoured outflow end surface, constructed as a tool engagement surface for an insertion tool (col. 4, lines 50-54).

Re claim 28, Richter shows that the outflow end surface of the cartridge housing of the intermediate holder (12) has a contouring made up of projections (16) and recesses, such that the recesses (21) of the insertion cartridge (22) held in the intermediate holder (12) acts as a tool engagement surface for the projections (16) of another cartridge housing that can be used as an insertion tool, and/or of another intermediate holder (col. 4, lines 50-54).

Re claim 29, Richter shows the insertion cartridge (22) and the intermediate holder (12) are connected in one piece with at least one seal (38) that forms a seal between the insertion cartridge (22) and the intermediate holder (12) on the one hand and the Sanitary outflow armature (Fig. 2) on the other hand.

Re claim 31, Richter shows that at least one of the outflow-side final edge area of the insertion cartridge (22) and of the intermediate holder (12) is fashioned as a sealing profile.

Re claim 32, Richter shows the sealing profile has at least one surface seal (Fig. 6, 83) and at least one lip seal (81).

Re claim 33, Richter shows the insertion cartridge and/or the intermediate holder (12) has at a flow inlet side an insertion stop (Fig. 2) that in its position of use limits a deformation of the sealing profile.

Re claim 34, Richter shows the sealing profile has at least one seal having a sealing profile base that is formed as an insertion stop (38).

Re claim 35, Richter shows the insertion stop (38) is situated adjacent to the sealing profile in a radial direction.

Re claim 36, Richter shows that at least one of the sealing profile and the insertion stop (38) work together with a counter-stop on an inner periphery of the sanitary outflow armature (Fig. 2) that limits the inner diameter of the liquid guide.

Re claim 37, Richter shows the sealing profile has at least one annular peripheral sealing lip (14).

Re claim 38, Richter shows that the sealing profile (38) has at least two annular peripheral sealing lips (14/above 38 in figure 2) that become effective one after the other with increasing insertion pressure that acts on the insertion cartridge and/or on the intermediate holder.

Re claim 39, Richter shows that the sealing lips (14/above 38 in figure 2) have different heights.

Re claim 40, Richter shows that the sealing lips (14/above 38 in figure 2) have stepped heights.

Re claim 41, Richter shows a sanitary outflow armature (Fig. 2) comprising a liquid guide (10) that opens into a fitting outlet, an insertion cartridge (22) arranged in the fitting outlet, wherein an inner diameter of the liquid guide (10) is adapted to the insertion cartridge (22) at least in an opening area of the fitting outlet and a hollow, cylindrical sleeve-shaped intermediate holder (12) that holds the insertion cartridge in a single fixed position and includes an annular groove (14) holding an annular seal (38) that provides a seal in the radial direction between the intermediate holder (12) and an inner periphery of the fitting outlet, wherein the intermediate holder (12) comprises a contoured end face tool engagement portion (16).

***Claim Rejections - 35 USC § 103***

Claim 30 is rejected under 35 U.S.C. 103(a) as being unpatentable over Richter (US Pat No 2,989,249).

Re claim 30, Richter does not teach that the seal, and the component of the insertion cartridge and the intermediate holder connected in one piece with the seal, are made of the same material.

However, it would have been obvious to one of ordinary skill in the art to utilize the same material throughout to cut down on the cost of materials.

***Response to Arguments***

Applicant's arguments with respect to claims 15, 16, 18-23, 25 and 27-42 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to STEVEN M. CERNOCH whose telephone number is (571)270-3540. The examiner can normally be reached on IFP.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Len Tran can be reached on (571)272-1184. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3752

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/S. M. C./

Examiner, Art Unit 3752

4/11/2011

/Jason J Boeckmann/

Primary Examiner, Art Unit 3752